

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**

WILD VIRGINIA, et al.,

Plaintiffs,

v.

COUNCIL ON ENVIRONMENTAL
QUALITY, et al.,

Defendants.

Civ. No. 3:20-cv-45- PJ-PMS

Hon. James P. Jones

**ORDER GRANTING BUSINESS ASSOCIATIONS'
MOTION TO INTERVENE**

This matter is before the Court on the Motion to Intervene as Defendants filed by the American Farm Bureau Federation, American Fuel & Petrochemical Manufacturers, American Forest Resource Council, American Petroleum Institute, American Road & Transportation Builders Association, Chamber of Commerce of the United States of America, Federal Forest Resource Coalition, Interstate Natural Gas Association of America, and National Cattlemen's Beef Association (the "Business Associations"). Dkt. 37. In light of Plaintiffs' Notice of Consent to Intervention (Dkt. 66), and pursuant to Federal Rule of Procedure 24, the Court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that the Business Associations' Motion to Intervene as Defendants is **GRANTED** and that the Business Associations shall be permitted to intervene as defendants in this action.

IT IS FURTHER ORDERED THAT:

1. The Business Associations shall file briefs in this Court no more than two-thirds the length of Plaintiffs' principal brief.
2. The Business Associations shall file briefs on the pending motion for preliminary injunction and the pending 12(b)(1) motions simultaneously with the government

defendants' briefs. The Business Associations shall file all subsequent briefs in this Court no later than seven calendar days after the government defendants file their corresponding brief. The Business Associations will endeavor to avoid duplicative briefing of matters already covered by the government defendants.

3. The Business Associations shall not file a motion to dismiss the complaint under Fed. R. Civ. P. 12(b)(6) unless the government defendants do so first.
4. The Business Associations shall not initiate discovery. If discovery is initiated by plaintiffs or the government defendants, the Business Associations may participate in such discovery, subject to limits agreed by the parties or ordered by the Court.

ENTER: August 31, 2020



JAMES P. JONES
UNITED STATES DISTRICT JUDGE